



# COMMONWEALTH of VIRGINIA

COMMISSIONERS  
ESTHER H. VASSAR, CHAIR  
PAMELA O'BERRY EVANS  
SUSAN R. SWECKER

## *Department of Alcoholic Beverage Control*

2901 HERMITAGE ROAD  
P.O. BOX 27491  
RICHMOND, VIRGINIA 23261  
(804) 213-4400  
FAX (804) 213-4411  
TDD LOCAL (804) 213-4687

CHIEF OPERATING OFFICER/SECRETARY TO THE BOARD  
W. CURTIS COLEBURN, III

April 21, 2006

### **TO: BREWERIES, IMPORTERS AND WHOLESALERS**

### **RE: MALT BEVERAGE REGISTRATION**

Listed below are requirements for malt beverage registration. Please submit with a cover letter listing the brand name and styles of malt beverages.

1. Copy of Federal Label Approval showing all labels affixed to container.
2. A complete set of original labels (including front, back any other label affixed to container) unattached to paper for our files.
3. Alcohol by Weight and Alcohol by Volume.
4. Fee in the amount of \$30.00 for each label submitted.
5. Importers Designation And Authorization Forms (Attachment A & B).

**PROHIBITED:** Throw away pop-tops on cans

### **RE: LABEL REVISION REQUIREMENTS**

Label must be submitted as label revision only when label originally registered has been discontinued.

Listed below are requirements when label originally registered has been changed.

1. A cover letter must be submitted informing this office of each label change. This letter should state the Alcohol by Weight and Alcohol by Volume. No fee for label revisions.
2. A copy of the Federal Label Approval for the new label showing all labels affixed to the container (if required by Federal Government) should be attached to the cover letter.
3. A set of original labels (including front, back and any other label affixed to the container) unattached to paper for our files.

### **IMPORTER DESIGNATION AND AUTHORIZATION**

According to Section 4.1-208 of the Code of Virginia, the Board may grant Beer Importers' licenses, which shall authorize persons licensed within or outside the Commonwealth to sell and deliver or ship beer into the Commonwealth, in accordance with the Board Regulations, in closed containers, to persons in the Commonwealth licensed to sell beer at wholesale for the purpose of resale.

To obtain a Virginia Beer Importers' license you may contact Mr. J. L. Cannon at the above address or (804) 213-4570.

#### **Form A: Importer Designation and Authorization Form (Attachment A)**

Written authorization by the brand owner for the importer to sell and deliver or ship the individual brands into Virginia, as well as to give written authorization for the importer to establish written agreements of a definite duration on behalf of the brand owner, as its authorized representative, with each wholesale licensee to whom the importer sells any brand owned by the brand owner.

#### **Form B: Designation of Authorized Distributor Form (Attachment B)**

A current list of all wholesale licensees recognized by the importer as the authorized representative of the brand owner to distribute such brand(s) within Virginia. Under the column "Designated Territory or Primary Area of Responsibility" you must specify the specific counties, cities, or towns designated to each distributor. A general description such as Northern or Southern Virginia is not acceptable. Only one distributor can be assigned a city, county, or town unless a highway number, the name of a river or some other distinguishing marker, divides it.

**Attachment A and B** must show the name of the brand owner in the space provided for NAME OF BRAND OWNER and not the importer or shipper. The company printed on the label as the Brewer and/or Bottler is whom we consider to be the brand owner if other proof of ownership is not provided (e.g.), BATF Brewers Notice showing trade names, Trademark Ownership, Contract, letter from the company printed on the label stating that the product was brewed and/or bottled for company submitting application, etc. Attachment A must be signed by the brand owner OR accompanied by a letter from the brand owner authorizing the importer, shipper, distributor applicant, etc. to be their brand agent, with authority to approve brand labels, appoint distributors, and post prices as required. On Attachment A where it states Signed by Name of Brand Owner "See Attached Letter" may be placed next to the Name of the Brand Owner and the signature on the letter of authorization will be acceptable for the brand owner's signature. Attachment A and B must have the signature of the authorized person executing form and title. The name of the company that holds the Virginia Beer importers' license must be in the space provided for NAME OF APPLICANT/LICENSEE on Attachment A and B forms.

**NOTE:** Application will not be processed until Importers Designation and Authorization Form A and Form B are completed and received by this office.

All applications for Malt Beverage registration and/or label revision should be directed to the attention of Ms. Ernestine Mack, Bureau of Law Enforcement, Tax Management Section at the above address. Telephone number (804) 213-4555.

**Please visit our Web site, <http://www.abc.virginia.gov/>, Laws & Enforcement, Tax Management Reports.**

## ATTACHMENT A

### IMPORTER DESIGNATION AND AUTHORIZATION FORM:

- I. \_\_\_\_\_ (Name of Brand Owner) is the lawful owner of the brand(s) of beer and/or wine listed in paragraph II and, as the brand owner, hereby authorizes:

Name of Applicant/Licensee \_\_\_\_\_

Street Address of Applicant/Licensee \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Virginia Importer's Number \_\_\_\_\_

to sell and deliver or ship the same brands of wine and/or beer into the Commonwealth of Virginia pursuant to, and in compliance with, the relevant statutes and regulations of the Commonwealth, which govern beer or wine importer licenses.

- II. The brands which the applicant named in paragraph I is authorized to sell and deliver or ship into Virginia are as follows.

Name of Brands \_\_\_\_\_  
\_\_\_\_\_

- III. The above named applicant/licensee is hereby designated as the authorized representative of \_\_\_\_\_ (Name of Brand Owner) for the purpose of establishing written agreements, of a definite duration and within the meaning of the Beer Franchise Act, §§4.1-500, et seq., of the code of Virginia and/or the Wine Franchise act, §§4.1-400 et seq., of the Code of Virginia, with each wholesaler licensee of the Virginia Alcoholic Beverage Control Board to whom the above named importer sells any brand of beer or wine listed in paragraph II.

**NOTICE TO BRAND OWNER:** By completing and submitting this form, according to Virginia law, the designated Importer will be authorized to enter into agreements for territory assignments with Virginia licensed wholesalers on your behalf. All territory assignments made by your designated Importer are submitted to the Virginia Department of ABC on an Attachment B form and are binding.

- IV. Please check the appropriate statement, below:

- ☐ This is an original authorization from the undersigned brand owner for the brands identified in paragraph II.
- ☐ This is an amendment to an original authorization, adding or deleting brands, which the above named applicant or importer is authorized by the undersigned brand owner to import into Virginia.

Signed by:

Date: \_\_\_\_\_

\_\_\_\_\_  
Name of Brand Owner

\_\_\_\_\_  
Signature of Person Executing Form and Title

[Attachment B \(click to view and print in landscape\).](#)